

REMARKS

Claims 1-18 were pending in the application. By means of the present amendment, all claims have been amended. No new matter has been added. Accordingly, claims 1-18 are at issue.

Claim objections

Claims 1-11 were objected to because of the phrase “using spatial structure” seems to be limiting at least one term that would clarify the claimed “detecting portion.” Applicant has removed the term “using spatial structure” as Applicant believes the spatial structure of the target and the detecting portion are inherent in the “coupling of the target” (e.g. in order for coupling to occur the target and the detector must have certain structure). For this reason Applicant has added the coupling requirement to the body of the claim. For clarity, all claims have been thus modified.

Rejections under 35 U.S.C. § 112

Claims 1-18 have been modified to make it clear that the claim terms are in the alternative (e.g. use of the term “or”).

At 5 the Examiner states that Claim 5 is indefinite as it recites “in alignment with the sizes of the target”. Applicant believes this is a redundant statement that was meant to encompass the “coupling” concept already recited in other claims. Claim 5 has been thus modified.

At 6 the Examiner states that there is insufficient antecedent basis for a particular term, the term has been modified to overcome this objection, and for clarity.

“A plural pieces” has been deleted as per the Examiner (at 7).

Rejections under 35 U.S.C. § 102

Claims 1-5 and 11-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kamensky (US Pat. No. 4,487,839). Applicants submit that the cited

reference does not anticipate each and every limitation of the claims as presently amended.

In relevant part, the Office Action states the following:

The combination of “repetitive pattern” and “quantity of antigens” is considered to read on the claimed “plural pieces of information.”

(See Office Action, page 4, #9).

Applicants disagree, the repetitive pattern as discussed in the cited art, for example at Claim 1, contemplates a very limited spatial structure that does not enable the instant invention. The instant invention includes temporal detection, many specific types of interactions, and many more spatial embodiments (e.g. see paragraph 0017). Applicant disagrees this Patent is novelty destroying.

Rejections under 35 U.S.C. § 103

Claims 6-8 are rejected as being unpatentable over Kamentsky (see above) in view of Kornguth (U.S. 5,629,213).

Kamentsky does not teach this invention, as described above.

Second, Kornguth does not teach the use of the dielectric constant of Claim 7.

Further, there would be no reason to couple Kornguth with Kamentsky as the Examiner has. The advantage of quicker detection is not mentioned in either reference and thus cannot represent the motivation to combine these references.

Finally, Kamentsky alone, or even when coupled with Kornguth, does not teach plural pieces of information. Each alone, and thus in combination, teach only a single piece of information, and neither teaches a temporal change. Each of these difference alone, or in combination, represent patentable subject matter and these claims should be allowed.

Claims 9-10 are rejected over Kamentsky in view of Willner (U.S. 6,630,309).

Kamentsky does not teach the invention, as described above.

Willner does not teach weight, or mass measurement, at all. The Examiner does not even argue that it does, and seems to argue a negative - that Willner teaches no need for labeling. A lack of a need for labeling, even if taught, does NOT positively teach to use weight as the measure. A limitation must be taught, and a negative does not suffice to destroy novelty of a invention, or make one obvious.

Further, there would be no reason to couple Kornguth with Wilner as the Examiner has. The advantage of the lack of labeling is not mentioned in either reference and thus cannot represent the motivation to combine these references.

Finally, Kamentsky alone, or even when coupled with Willner, does not teach plural pieces of information. Each alone, and thus in combination, teach only a single piece of information, and neither teaches a temporal change. Each of these difference alone, or in combination, represent patentable subject matter and these claims should be allowed.

Either alone, or in combination, these references do not teach all the limitations in Claims and thus these claims should be allowed.

Conclusion

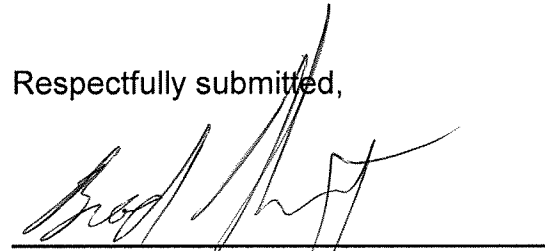
In view of the foregoing, it is submitted that all the claims are allowable and that the application is in condition for allowance. Notice to that effect is respectfully requested.

The undersigned hereby authorizes any fees due in connection with this response to be withdrawn from Deposit Account No. 19-3140.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bradley S. Kurtz', is written over a horizontal line.

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